

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER X-16029
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/541047
INTERNATIONAL APPLICATION NO. PCT/US2003/037088	INTERNATIONAL FILING DATE 16 December 2003 (16.12.03)	PRIORITY DATE CLAIMED 6 January 2003 (06.01.03)
TITLE OF INVENTION: SUBSTITUTED ARYLCYCLOPROPYLACE TAMIDES AS GLUCOKINASE ACTIVATORS		
APPLICANT(S) FOR DO/EO/US: Andreas Gerhard WEICHERT, David Gene BARRETT, Stefan HEUSER, Rainer RIEDL, Mark Joseph TEBBE, Andrea ZALIANI		
Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form.</p> <p>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 12. to 18. below concern document(s) or information included:		
<p>12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>13. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>14. <input type="checkbox"/> Assignment has been recorded at reel _____, frame _____.</p> <p>15. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>17. <input type="checkbox"/> A Sequence Listing, 1.821 Statement, and diskette.</p> <p>18. <input checked="" type="checkbox"/> Other items or information: Please amend the first page of the specification by inserting the following cross-reference after the title: "This is the national phase application, under 35 USC 371, for PCT/US2003/037088, filed 16 December 2003, which, claims the benefit, under 35 USC 119(e), of US provisional application 60/438,539, filed 6 January 2003."</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																				
107541047	PCT/US2003/037088	X-16029																				
<p>19. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Stage Fee = \$ 300.00</p> <p>National Stage Search Fee = \$ 500.00</p> <p>National Stage Examination Fee = <u>\$ 200.00</u></p> <p>TOTAL NATIONAL STAGE FEES \$1,000.00 (a)</p> <p>Application Length Fee</p> <p>Total Length (excluding sequence listings)</p> <p>139 - 100 + 50 x 250 = \$250.00 (b)</p>		CALCULATIONS PTO USE ONLY																				
ENTER APPROPRIATE AMOUNT (a + b) =		\$1,250.00																				
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 35%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>27-20=</td> <td>7</td> <td>X \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>1-3=</td> <td>0</td> <td>X \$200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	27-20=	7	X \$50.00	Independent claims	1-3=	0	X \$200.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00				TOTAL OF ABOVE CALCULATIONS =	\$710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims	27-20=	7	X \$50.00																			
Independent claims	1-3=	0	X \$200.00																			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00																			
			TOTAL OF ABOVE CALCULATIONS =																			
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).		\$																				
SUBTOTAL =		\$1,960.00																				
Processing fee of \$130.00 for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																				
TOTAL NATIONAL FEE =		\$																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).		\$																				
\$40.00 per property		\$																				
TOTAL FEES ENCLOSED =		\$1,960.00																				
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Amount to be refunded</td> <td style="width: 50%;">\$</td> </tr> <tr> <td>charged</td> <td>\$</td> </tr> </table>	Amount to be refunded	\$	charged	\$																
Amount to be refunded	\$																					
charged	\$																					
a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.																					
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. 05-0840 in the amount of <u>\$1,960.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.																					
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.																					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																						
SEND ALL CORRESPONDENCE TO: ELI LILLY AND COMPANY PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, INDIANA 46206-6288 <u>6/29/2005</u> Date <u>48,613</u> REGISTRATION NUMBER		 SIGNATURE Dan L. Wood NAME <u>(317) 277 3366</u> TELEPHONE NUMBER																				
		 25885 <small>PATENT TRADEMARK OFFICE</small>																				

10/541047
JC20 Rec'd PCT/PTO 29 JUN 2005

IN THE UNITED STATES RECEIVING OFFICE (USRO)

Applicant(s): Andreas Gerhard WEICHERT
David Gene BARRETT
Stefan HEUSER
Rainer RIEDL
Mark Joseph TEBBE
Andrea ZALIANI

International Application No.: PCT/US2003/037088
Filed: 16 December 2003 (16.12.03)
Invention: SUBSTITUTED ARYLCYCLOPROPYLACE TAMIDES
AS GLUCOKINASE ACTIVATORS
Lilly Reference: X-16029
Earliest Priority Date: 6 January 2003 (06.01.03)

Certificate Under 37 C.F.R. § 1.10

Attention: DO/EO
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

"Express Mail" mailing label number: EV393134796 US
Date of Deposit: 29 June 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Queen Thomas

(Typed or printed name of person mailing paper)

Queen Thomas

(Signature of person mailing paper or fee)